

REMARKS*Allowed Claims:*

Applicants appreciate the indication that claims 5-8, 11-18 and 25-50 are allowed.

Please see the Notice of Allowance mailed July 5, 2007. We respectfully request another Notice of Allowance.

Petition to Withdraw from Issue:

A Petition to Withdraw from Issue is also filed. That Petition is filed so that additional art can be considered and listed on the issued patent, and to add additional claims. Entry of this Petition is also respectfully requested.

Additional Claims and Suggested Restriction:

Claims 51-69 are newly added.

The newly added claims are believed appropriate for restriction from the previously pending claims (i.e., claims 5-8, 11-18 and 25-50). A possible grouping of claims could comprise:

Group I – the previously pending claims (5-8, 11-18 and 25-50), which applicants elected for prosecution in response to the May 18, 2005 Restriction Requirement;

Group II – new claims 51-53 which concern, e.g., methods relating to search engines and audio data;

Group III – new claims 54-57 which concern, e.g., methods relating to search engines and visual data;

Group IV – new claims 58-62 which concern, e.g., arrangements employing user interfaces through which a user of a first device can instruct that content be delivered to a second device;

Group V – new claim 63 which concerns, e.g., identifying a content recipient from a scrollable list and sending data as a consequence;

Group VI – new claim 64 which concerns, e.g., a portable personal digital device equipped with an interface for receiving audio content data, and a counter for tracking a number of plays of the received audio content;

Group VII – new claim 65 which concerns, e.g., a method in which a content identifier is derived from human-perceptible attributes of content, and a remote computer resource identified by reference to that identifier logs information regarding the content;

Group VIII – new claims 66-68 which concern, e.g., methods in which meta data associated with sensed audio (e.g., title information, artist information, concert information for the artist) is received and/or presented at a device; and

Group IX – new claim 69 which concerns, e.g., delivery of content data to a recipient computer while audio is being streamed to a first user device.

The claims of Group IV and V are related as combination and subcombination (i.e., the Group IV claims do not require the particulars of the Group V subcombination for patentability, and the Group V subcombination has utility in other combinations).

The other groupings are believed appropriate for restriction because a different field of search would be required for each.

(Counterparts to new claims 51-69 were earlier filed by applicants in applications 11/382,850, 11/620,993, 11/620,999, 11/746,804 and 11/746,811 – none of which has yet been assigned to an Examiner for examination. Those applications will be amended, as appropriate, depending on action taken in the present case.)

Conclusion:

We respectfully request another Notice of Allowance. In the meantime, the Examiner is respectfully invited to contact the undersigned with any questions.

Date: September 25, 2007

Respectfully submitted,

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